

Response to Office Action
SN 10/718,224
Customer No. 33354

REMARKS

A. Status of the Claims

Claims 1-27 are pending and subject to a restriction requirement.

Applicant elects certain claims for examination with traverse as noted below.

D. Applicant's Elections Responsive to the Restriction Requirement

Applicant elects claims 1-24 in group 1 drawn to a napkin assembly, classified in class 428, subclass 40.1.

D. Applicant's Traverse of the Restriction Requirement

The MPEP states that if "the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits; even though it includes claims to independent or distinct inventions." MPEP § 803. (emphasis added). In the present case, the invention relates to a napkin assembly and a method of assembling adhesive napkins.

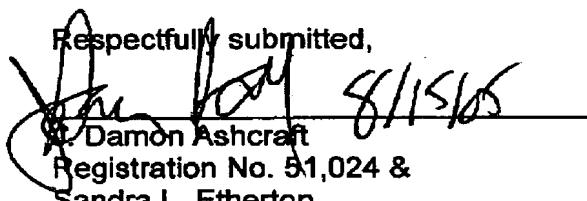
Applicant respectfully asserts that examining both groups at once would not be too burdensome on the Examiner due to the relatively simplistic nature of the invention. Therefore, Applicant respectfully requests the Examiner to withdraw the restriction requirement and examine both groups at one time.

Response to Office Action
SN 10/718,224
Customer No. 33354

CONCLUSION

Applicant respectfully requests that the Examiner withdraw the restriction requirement. If the Examiner decide not to withdraw it, Applicant hereby elects claims 1-24 in group 1. If the Examiner has any questions, he is invited to call Applicant's representative, Damon Ashcraft, at 602-681-3331.

Respectfully submitted,


Damon Ashcraft
Registration No. 51,024 &
Sandra L. Etherton
Registration No. 36,982

Etherton Law Group, LLC
5555 E. Van Buren Suite 100
Phoenix, Arizona 85008-3422
Tel: 602-681-3331
Fax: 602-681-3339
Customer No. 33354